

UNITED STATES DISTRICT COURT

District of Delaware

WALTER PHILLIPS, On Behalf of Himself and  
All Others Similarly Situated,  
Plaintiff

SUMMONS IN A CIVIL CASE

V.

MOLSON COORS BREWING, COMPANY, et.al.,

CASE NUMBER: 05-604-KAJ

Defendants

TO: (Name and address of Defendant)

Ben Schwartz  
c/o Charles F. Richards, Jr.  
Richards, Layton & Finger, P.A.  
One Rodney Square  
P.O. Box 551  
Wilmington, DE 19899

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Pamela S. Tikellis  
Chimicles & Tikellis  
One Rodney Square  
P.O. Box 1035  
Wilmington, DE 19899

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

APR 19 2006

CLERK

DATE

*Evette Watson*

(By) DEPUTY CLERK

SAO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <div style="text-align: center;">May 10, 2006</div>	
NAME OF SERVER (PRINT) <div style="text-align: center;">Danny P. Randolph, Jr.</div>	TITLE <div style="text-align: center;">Process Server</div>	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____		
<input type="checkbox"/> Returned unexecuted: _____ _____		
<input checked="" type="checkbox"/> Other (specify): <u>Served: Ben Schwartz</u> <u>c/o Charles F. Richards,</u> <u>Jr. of Richards, Layton &amp; Finger, P.A. at One Rodney Square,</u> <u>P.O. Box 551, Wilmington, DE 19899. Copies thereof were accepted</u> <u>by Elizabeth C. Tucker, Esquire of Richards, Layton &amp; Finger</u> <u>authorized to accept.</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>5/10/06</u> <u>Danny P Randolph Jr</u>  <div style="display: flex; justify-content: space-around; width: 100%;"> <span>Date</span> <span>Signature of Server</span> </div> </p> <p style="text-align: center;">Chimicles &amp; Tikellis LLP  <u>One Rodney Square, Wilmington, DE 19801</u>            Address of Server</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.